<u>REMARKS</u>

Claims 8-27 remain in this application.

Claims 20-24 and 27 have been withdrawn as directed to non-elected species.

In regard to the examiner's rejection of claims 8-19 and 25-26, based on the prior art

reference to Stoecklein et al, the following is pointed out.

In the structure disclosed in the Stoecklein et al reference, the outlet throttle 64 is located

between control chamber 58 and control valve 70, and is thus upstream of the control valve 70.

The downstream part 66' of the outlet conduit 66 has a greater diameter than the throttles 64 and

86. Accordingly, outlet conduit 66 does not form an outlet throttle since it does not provide any

throttling function for the outlet conduit.

Further, in the intermediary and the uppermost positions of valve element 76, the valve

chamber 78 is connected to high pressure via bypass conduit 74 in order to close the injection

nozzle faster. There is no communication from the control chamber 58 to the valve chamber 78

via the bypass conduit 74 since the pressure in the bypass conduit 74 is always higher than the

pressure in the control chamber 58 when the valve member is in its intermediary and uppermost

positions positions. Therefore, contrary to the reading of the Stoecklein et al reference as

expressed by the examiner, in the structure of Stoecklein et al bypass conduit 74 is **not** a outlet

conduit for the control chamber 58.

Thus the structure recited in claim 8 differs from the structure of Stoecklein et al in that:

- claim 8 recites that the outlet throttle 8 is located downstream of the control valve 6, between

the control valve 6 and the low-pressure side 7;

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- claim 8 recites that the control chamber 2 communicates with the low-pressure side 7 via a

second outlet conduit 16 having an outlet throttle 15 when the control valve 6 is in its third valve

position.

Stoecklein et al does not teach, or in any way provide this structure.

Stated in different language, the Stoecklein et al reference lacks a second conduit (16)

which communicates from the control chamber to the low pressure side. In Stoecklein et al the

bypass conduit 74 does not lead from the control chamber, but rather leads from the chamber 44

which is part of the supply so that when valve 70 is in its uppermost position, bypass conduit 74

supplies fuel into the control chamber so that the injection nozzle closes faster.

While the examiner possibly might argue that in Stoecklein inlet conduit 62 leads to

conduit 74 and thus 74 could act as a second outlet conduit, this position is refuted by the fact

that high pressure in chamber 44 of Stoecklein et al will always keep fuel from flowing out of

control chamber 58 through conduit 62. Thus, that there is no possibility of 74 acting as a

communication from the control chamber 58 to low pressure side 66.

Further, there is no teaching of record which would in any way make the structure recited

in claim 8 obvious to one skilled in the art.

Further, there is no teaching of record which would in any way make the structure recited

in claim 8 obvious to one skilled in the art.

Since the present rejection of claim 8 has been shown to be inappropriate, and thus

generic claim 8 is allowable, it is proper to reinstate non-elected claims 20-24 and 27, and allow

them along with allowable claim 8, on which they ultimately depend.

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For the above reasons, entry of this amendment and allowance of all of the claims in this application are courteously solicited.

Respectfully submitted,

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